IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 14884 of 1997

Between:

Md.Nazimuddin S/o.Md.Basheeruddin
R/o.Door.No.2-1-238, Quarter bearing 8,LIGH quarters,
Zahirabad of Medak District.

..... PETITIONER

AND

1 The Commissioner, Nagarpanchayat,
Zahirabad Medak District.
2 The Chairman Nagar Panchayat,
Zahirabad Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction or writ, more particularly one in the nature of Writ of Mandamus calling for the records of the impugned memo bearing No.A2/325/97 dt.21-6-1997 issued by the 1st Respondent seeking eviction of the petitioner from LIGH Quarter No.8 (Door No.2-1-238) of LIGH Quarter, Zahirabad and same be declared as illegal, unlawful and without jurisdiction, consequently directing respondents to allot the above quarters to the petitioner on hire-purchase basis as per G.O.Ms.No.56, dt.20-10-1989, and as per the resolution bearing 71, dt.6-9-1995 passed by the Nagarpanchayat, Zahirabad and further as per certificate No.A3/Misc/92 dt.19-5-1992 issued by the 1st Respondent and pass such other order or orders which are necessary in the interest of justice.

Counsel for the Petitioner:MR.M.DAMODAR REDDY

Counsel for the Respondent : MR.POLISETTI RADHAKRISHNA FOR R-2

GP FOR PANCHAYAT RAJ & RURAL DEV. FOR R-1

The Court made the following :

ORDER:

The Writ Petition is filed for a writ of mandamus calling for records of the impugned memo bearing No.A2/325/97, dt.21-6-1997 issued by the 1st respondent seeking eviction of the petitioner from LIGH Quarter No.8 (Door No.2-1-238) of LIGH Quarter, Zahirabad and the same be declared as illegal, unlawful and without jurisdiction and consequently direct the respondents to allot the above quarters to the petitioner on hire purchase basis as per G.O.Ms.No.56, dated 20-10-1989 and as per the resolution bearing No.71, dated 6-9-1995 passed by the Nagarpanchayat, Zahirabad and further as per Certificate No.A3/Misc/92, dt.19-5-1992 issued by the 1st respondent and to pass such other suitable orders.

The Writ petitioner is placing reliance on G.O.Ms.No.56, dated 20-10-1989 and has been claiming consideration on the said basis.

In the light of the facts and circumstances the 1st respondent is hereby directed to consider the case of the petitioner as per G.O.Ms.No.56, dated 20-10-1989 and pass appropriate orders in this regard within a period of three months from the date of receipt of this order. Till then, status-quo as on today to be maintained.

The Writ Petition is disposed of accordingly. No costs.

P.S.Narayana.,J

Date : 4-2-2005

AM

To

1 The Commissioner, Nagarpanchayat,
Zahirabad Medak District.
2 The Chairman Nagar Panchayat,
Zahirabad Medak District.

3. 1 CC to MR.POLISETTI RADHAKRISHNA (SC FOR

MUNCIPAL), High Court of Andhra Pradesh,

High court Buildings, Hyderabad. (OUT)

4. 2 C.Cs. to Government Pleader for Panchayat Raj &

Rural Development,

High Court of Andhra Pradesh,

Hyderabad (OUT)

4. 2 C.D. copies